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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 SVB FINANCIAL GROUP,

14 Plaintiff,

15 v.

16 FEDERAL DEPOSIT INSURANCE
17 CORPORATION, as Receiver for Silicon
Valley Bank and Silicon Valley Bridge Bank,
18 N.A.,

19 Defendants.

Case No. 5:24-cv-01321-BLF

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO EXTEND
TIME TO ANSWER COMPLAINT AND
TO EXTEND RELATED DEADLINES**

Judge: Hon. Beth Labson Freeman

Date Filed: March 5, 2024

Trial Date: March 23, 2026

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JOINT STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND TIME TO ANSWER COMPLAINT AND TO
EXTEND RELATED DEADLINES

Case No. 5:24-cv-01321-BLF

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Pursuant to Civil Local Rule 6-2 and 7-12, Plaintiff SVB Financial Group (“Plaintiff”), and Defendants the Federal Deposit Insurance Corporation, as Receiver for Silicon Valley Bank (“FDIC-R1”) and Silicon Valley Bridge Bank, N.A. (“FDIC-R2”) (together with FDIC-R1, “Defendants”; and together with Plaintiff, “Parties”), submit this Joint Stipulation and Proposed Order.

WHEREAS, counsel from Keker, Van Nest & Peters LLP filed its Motion to Substitute as Plaintiff’s Counsel and first appeared as counsel of record for Plaintiff on this day, December 19, 2024;

WHEREAS, counsel from Davis Polk & Wardwell LLP filed its Notice of Association and first appeared as counsel of record for Plaintiff on this day, December 19, 2024;

WHEREAS, in the interest of streamlining the case, Plaintiff does not plan to file an Amended Complaint and therefore Defendants’ Answer is due on December 20, 2024, by prior agreement of the Parties;

WHEREAS, Defendants intend to assert affirmative defenses and/or counterclaims in their Answer;

WHEREAS, after review of Defendants’ forthcoming Answer, Plaintiff reserves the right to move to strike or dismiss such defenses and/or counterclaims, or a portion thereof, or other portions of the Answer;

WHEREAS, party document discovery is set to close on January 31, 2025 (Dkt 63), and thus the last day to serve requests for the production of documents is January 1, 2025;

WHEREAS, counsel for Plaintiff and Defendants have met and conferred regarding their schedules and the needs of the case;

WHEREAS, Defendants have requested a short extension of the time to Answer the Complaint, and both Parties agree that it would be in the Parties’ best interests and in the interest of judicial efficiency to extend: (1) Defendants’ time to Answer to January 10, 2025; (2) Plaintiff’s time to move to strike and/or dismiss any defenses and/or counterclaims or any other portion of Defendants’ Answer to February 14, 2025; and (3) both Parties’ time to propound additional requests for production of documents to January 20, 2025;

1 WHEREAS, no time or deadline modifications have occurred in this case since the
2 Court's July 19, 2024 Order granting the Parties' stipulated case schedule (Dkt 63);

3 WHEREAS, the extension will not alter any other date or deadline already fixed by the
4 Court.

5 NOW, THEREFORE, THE PARTIES AGREE AND JOINTLY STIPULATE:

6 1. Defendants shall file their Answer to Plaintiff's Complaint no later than 5:00 p.m.
7 EST on January 10, 2025.

8 2. Plaintiff shall file any motion to strike and/or dismiss any defenses and/or
9 counterclaims asserted in Defendants' Answer and/or any other portion of Defendants' Answer
10 no later than February 14, 2025.

11 3. Plaintiff and Defendants shall have until 5:00 p.m. EST on January 20, 2025 to
12 propound any additional requests for production of documents.

13 **IT IS SO STIPULATED.**

14
15 Dated: December 19, 2024

KEKER, VAN NEST & PETERS LLP

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17 By: /s/ Robert Van Nest

18 ROBERT A. VAN NEST
19 JAN NIELSEN LITTLE
20 JULIA L. ALLEN
21 MAYA JAMES

22 Attorneys for Plaintiff SVB FINANCIAL
23 GROUP
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1 Dated: December 19, 2024

DAVIS POLK & WARDWELL LLP

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3 By: /s/ Jonathan K. Chang

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14 GROUP

15 Dated: December 19, 2024

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20 Attorneys for Defendants FEDERAL
21 DEPOSIT INSURANCE CORPORATION,
22 AS RECEIVER FOR SILICON VALLEY
23 BANK and FEDERAL DEPOSIT
24 INSURANCE CORPORATION, AS
25 RECEIVER FOR SILICON VALLEY
26 BRIDGE BANK, N.A.

Dated: December 19, 2024

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ATTESTATION

I am the ECF user whose identification and password are being used to file the foregoing Stipulation and Proposed Order. Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: December 19, 2024

By: /s/ Robert Van Nest
ROBERT VAN NEST

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 20, 2024


HON. BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE